

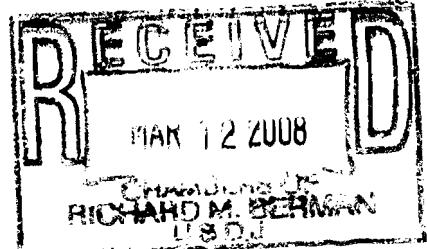


United States Attorney
Southern District of New York

MEMO ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

March 12, 2008



Honorable Richard M. Berman
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

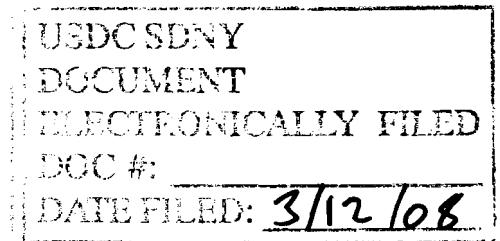
Re: United States v. \$49,000 in United States Currency,
07 Civ. 10629 (RMB)

Dear Judge Berman:

The Government writes in response to the Court's memorandum endorsement on the enclosed March 10, 2008 letter to Your Honor, in which the Government requested an extension of the deadline within which it had to file any motion for an order to show cause why default judgment should not be entered. The Court has inquired as to when the notice of forfeiture in this action was published. The Government is informed by the United States Marshals Service that the Marshals first published the notice in a newspaper of general circulation on February 13, 2008. Thus, the deadline by which any possible claimant must file a claim is March 14, 2008.

In addition, any motion for an order to show cause filed by the Government must be supported by sufficient evidence of the publication. This evidence usually is provided to the Court in the form of the returned publication notice, which the Government must await from the Marshals, who are responsible for carrying out the Government's publication obligations. The Government requested an extension of the Court's deadline until April 30, 2008, because there was no precise date by which the return of publication could be expected.

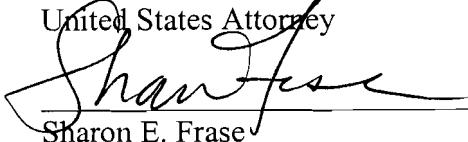
After writing the Court on March 10, however, I learned from members of the staff of this Office's Asset Forfeiture Unit that the Marshals recently returned publication. The

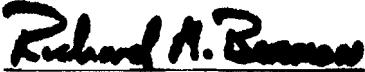


Government therefore has begun drafting the affidavit and other materials in support of an order to show cause, and will be prepared to file as early as Monday, March 17, which is the first business day following the expiration of the claim deadline.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: 
Sharon E. Frase
Assistant United States Attorney
Telephone: (212) 637-2329

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3/17/08 is fine.
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SO ORDERED: Date: <u>3/12/08</u>  Richard M. Berman, U.S.D.J.